

REMARKS

Claims 1, 2, 5-10, 13-17 and 19-21 remain pending in the application. Applicant respectfully requests favorable reconsideration of the claims in view of the following remarks.

Claims 1, 2, 5-10, 13-17 and 19-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abramov et al. (U.S. Patent No. 6,486,832 B1) in view of Regnier et al. (U.S. Patent Application Number 2003/0222818) and further in view of Bulthuis (U.S. Patent Application Number 2003/0119523). Applicants respectfully traverse these rejections for the following exemplary reasons.

Applicant respectfully submits that the combination of Abramov et al., Regnier et al. and Bulthuis does not disclose or suggest the following features: (1) *“at least one non-beaconing WAP of the plurality of WAPs that has a directional antenna ... recording the relative angular position of the approximate maximum gain vector and the received strength of the transmitted beacon; and (2) processing a plurality of recorded relative angular positions of the approximate maximum gain vectors and a plurality of recorded received strengths of the transmitted beacons to determine relative radio positions of the plurality of WAPs within the WLAN,”* as claimed in amended independent Claim 1, and similarly claimed independent Claims 9 and 17.

On Page 6 of the Final Office Action, the Examiner indicated that above features are taught by Regnier. Applicant respectfully disagrees. With respect to feature (1) above, Applicant notes that Regnier is directed to a method for achieving the optimal antenna directional angle of an antenna apparatus of a mobile station. For example, Applicant refers the Examiner to paragraphs 36 and 37 of Regnier, which describe the placement or positioning of antenna elements 101 on a housing 110 of the antenna apparatus 100 of the mobile station 60,

and to paragraph 42, which describes a method for determining the optimum weight controls to be applied to each antenna element of the mobile station by determining the azimuth angle associated with the optimum signal quality metric (e.g., signal to noise ratio) in order to direct the antenna beam pattern produced by the antenna apparatus towards a base station 160.

There is no teaching or suggestion in Regnier of a “non-beaconing Wireless Access Point (WAP)” that is capable of “*recording the relative angular position of the approximate maximum gain vector and the received strength of the transmitted beacon*” that is transmitted by another WAP. In particular, there is no teaching or suggestion in Regnier that the base station 160 itself is capable of recording azimuth angles or signal quality metrics of a signal transmitted by another base station.

With respect to feature (2) above, Applicant respectfully submits that Regnier is only concerned with maximizing the received signal from a single base station in order to reduce intercell interference and multipath fading. (See Regnier, paragraph 36). For example, Regnier teaches adjusting the weight control components for the antenna elements to rotate the antenna beam through azimuth angles until the optimum signal quality metric value is reached based on a predetermined signal transmitted from a single base station. (See Regnier, paragraphs 45 and 46).

There is nothing in Regnier that teaches or suggests “*processing a plurality of recorded relative angular positions of the approximate maximum gain vectors and a plurality of recorded received strengths of the transmitted beacons*”, in which “each of the beaconing operations correspond[s] to a respective WAP”. More particularly, in the present application, the beacons from multiple WAP’s are used during “processing,” whereas in Regnier, the beacon from a single base station is used during “processing.”

For at least these reasons, Applicant respectfully submits that Claims 1, 2, 5-10, 13-17 and 19-21 are not obvious over the prior art of record. Accordingly, Applicant respectfully requests that the Examiner withdraw the § 103 rejection of Claims 1, 2, 5-10, 13-17 and 19-21.

CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining claims in the Application are in condition for allowance, and respectfully requests an early allowance of such claims.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126 (Ref. BP2488.2).

Respectfully submitted,

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